

1963

Bill file Con

CONGRESSIONAL RECORD — SENATE

18537

By Mr. PASTORE, from the Committee on Commerce, with amendments:

S. 920. A bill to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may, if it finds that the public interest, convenience, or necessity may be served, issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by United States amateurs on a reciprocal basis (Rept. No. 562).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Lt. Gen. Wallace M. Greene, Jr., U.S. Marine Corps, to be Commandant of the Marine Corps, with the rank of general.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YARBOROUGH:

S. 2235. A bill for the relief of Mauricia Reyes; to the Committee on the Judiciary.

By Mr. BOGGS:

S. 2236. A bill for the relief of Lena Woo Djieu and Vung-Shung Djieu also known as Victor Djieu; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 2237. A bill for the relief of Henry H. Balch, a retired Foreign Service officer; to the Committee on Foreign Relations.

CONCURRENT RESOLUTIONS

GREETINGS TO MONTICELLO COLLEGE, GODFREY, ILL.

Mr. DIRKSEN submitted a concurrent resolution (S. Con. Res. 62) extending greetings to Monticello College at Godfrey, Ill., upon the occasion of the dedication of Hatheway Hall on October 18, 1963, which was referred to the Committee on the Judiciary.

(See the above concurrent resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

STRENGTHENING AND DEFENSE OF LATIN AMERICA AGAINST COMMUNISM

Mr. JAVITS (for himself and Mr. MORSE) submitted a concurrent resolution (S. Con. Res. 63) to authorize the President to cooperate with nations in Latin America for the strengthening and defense of Latin America against the loss of self-determination or the assault of internal communism, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

SUPPORT OF THE PRESIDENT IN HIS EFFORTS TO ACHIEVE DISARMAMENT

Mr. CLARK (for himself, and Senators RANDOLPH, YOUNG of Ohio, BARTLETT, INOUYE, GRUENING, LONG of Missouri, MOSS, McGOVERN, CHURCH, NEUBERGER, HART, WILLIAMS of New Jersey, McGEE, HUMPHREY, and BURDICK) submitted a concurrent resolution (S. Con. Res. 64) favoring support of the President in his efforts to achieve disarmament, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

RESOLUTION

SHIPMENT OF WHEAT SOLD TO RUSSIA IN AMERICAN-FLAG VESSELS

Mr. SCOTT submitted the following resolution (S. Res. 214); which was referred to the Committee on Commerce:

Whereas the United States Government has indicated its willingness to permit the sale of millions of bushels of wheat to the Soviet Union; and

Whereas it is the policy of the United States Government to encourage the use of American-flag vessels wherever possible to assist in the Nation's balance-of-payments posture; and

Whereas the American maritime industry is in a depressed state and employment in the industry is at a low level; and

Whereas the President has declared that "the wheat we sell to the Soviet Union will be carried in available American ships"; Therefore be it

Resolved, That it is the sense of the Senate that the shipping policy voiced by the President be fully implemented; and be it further

Resolved, That one of the conditions of the sale of wheat should be the mandatory participation of United States-flag vessels in the delivery of not less than fifty percent of the cargoes involved in such transactions; and be it further

Resolved, That foreign-flag vessels which have engaged in transportation of cargoes to Cuba since the Presidential embargo shall under all circumstances be barred from participation in the delivery of such wheat.

REPEAL OF ACT RELATING TO EMPLOYMENT OF PINKERTON DETECTIVE AGENCY—AMENDMENTS (AMENDMENT NO. 223)

Mr. McCLELLAN submitted amendments, intended to be proposed by him, to the bill (S. 1543) to repeal that portion of the act of March 3, 1893, which prohibits the employment, in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency, which were ordered to lie on the table and to be printed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, TO REDUCE INDIVIDUAL AND CORPORATE INCOME TAXES—AMENDMENTS (AMENDMENTS NOS. 224 AND 225)

Mr. GORE. Mr. President, I send to the desk for appropriate reference two

amendments I expect to offer to the tax bill, H.R. 8363.

Both of these amendments deal with problems of tax reform. Both move in the direction the administration has indicated it wants to go. The Treasury Department, in the very recent past, has supported the concept and purpose of these amendments. I would hope for, and shall expect, support from the Treasury for these amendments.

The first amendment deals with the problem posed by large enterprises which organize artificially in a multicorporate form. In this way, it is often possible to hold down the corporate tax to the 30-percent level, or 22-percent level if H.R. 8363 becomes law, rather than having the greater part of taxable income receive the 52-percent rate, or 48-percent rate under this bill.

The Ways and Means Committee recognized that this bill would lend added encouragement to and bestow vastly greater benefits on those who are in a position to set up a multicorporate structure, and provided that a group of corporations under common ownership shall file a consolidated return, or share one surtax exemption among all the corporations involved. An alternative was provided, however, by allowing each corporation a surtax exemption but imposing a 6-percent penalty tax on the first \$25,000 of its taxable income. This, as I say, serves to give recognition to the problem, but hardly provides an appropriate remedy.

My amendment would remove the alternative method of filing multiple returns and paying the 6-percent penalty, thus requiring corporations under common ownership to file a consolidated return or share one surtax exemption. This would help to insure to truly small businesses the tax advantage ostensibly given them by this bill.

The second amendment is, perhaps, more controversial, although its equity can hardly be questioned.

In his January message, President Kennedy recommended that a tax be imposed at death on certain unrealized capital gains. This appeared harsh to some and would have caused some practical difficulties although it is theoretically a correct position. It was decided, then, to carry forward the decedent's basis so that eventually a capital gains tax would be paid by someone.

The Ways and Means Committee adopted a provision to accomplish this very worthwhile purpose and objective, after having watered down the provision with all sorts of adjustments and additions to basis in various instances. But at the proverbial 11th hour even this was discarded.

With the assistance of the very able experts of the Legislative Counsel I believe I have here a good draft.

I shall press for adoption of these amendments and hope for Treasury support.

The PRESIDENT pro tempore. The amendments will be received, printed, and appropriately referred.

The amendments (Nos. 224 and 225) were referred to the Committee on Finance.

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CONGRESSIONAL RECORD — SENATE

October 15

AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT—AMENDMENTS (AMENDMENTS NOS. 226 AND 227)

Mr. COOPER submitted two amendments, intended to be proposed by him, to the bill (S. 649) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes, which were ordered to lie on the table and to be printed.

STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL CO-SPONSOR OF RESOLUTION

Mr. DIRKSEN. Mr. President, at its next printing, I ask unanimous consent that the name of the junior Senator from Tennessee [Mr. WALTERS], may be added as an additional cosponsor of the resolution (S. Res. 176) to create a standing Committee on Veterans' Affairs—for the Veterans' Administration, submitted by me on July 24, 1963.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF TARIFF ACT OF 1930, RELATING TO OVERTIME SERVICES OF CUSTOMS OFFICERS AND EMPLOYEES—ADDITIONAL CO-SPONSOR OF BILL

Mr. DOMINICK. Mr. President, I ask unanimous consent that at its next printing the name of the Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the bill (S. 2173) to amend the Tariff Act of 1930 and the act of February 13, 1911, to eliminate those provisions which require payment to the United States for overtime services of customs officers and employees.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF PUBLIC HEARING ON NOMINATION OF BERNARD T. MOYNAHAN, JR. TO BE U.S. DISTRICT JUDGE, EASTERN DISTRICT OF KENTUCKY

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, October 22, 1963, at 10:30 a.m., in room 2228 New Senate Office Building, on the nomination of Bernard T. Moynahan, Jr., of Kentucky, to be U.S. district judge, eastern district of Kentucky, vice H. Church Ford, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHN-

STON], the Senator from Nebraska [Mr. HUSKAL], and the Senator from Mississippi [Mr. EASTLAND] as chairman.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 1 year from October 22, 1963. (Reappointment.)

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 2 years from October 22, 1963. (Reappointment.)

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, October 22, 1963, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

CLOSING OF ROLLS OF COLVILLE CONFEDERATED TRIBES—PAYMENT FROM COLVILLE JUDGMENT FUNDS—NOTICE OF HEARINGS

Mr. JACKSON. Mr. President, I announce, for the information of the Senate and other interested parties, that the Subcommittee on Indian Affairs of the Interior and Insular Affairs Committee will hold field hearings in the State of Washington on S. 1442 and S. 1169. S. 1442 is a bill providing for the closing of the rolls of the Colville Confederated Tribes preparatory to the submission of a plan for the termination of Federal supervision over the property and affairs of the Colville Confederated Tribes.

S. 1169 is a bill to provide a \$350 per capita payment from the Colville judgment funds.

The senior Senator from Idaho [Mr. CHURCH], chairman of the Indian Affairs Subcommittee, will conduct these hearings in Spokane, Nespelem, and Seattle, Wash. A hearing is scheduled at Spokane, Wash., on Thursday, October 24, at 10 a.m., in the auditorium of the Washington Water Power Co. A hearing is scheduled in Nespelem, Wash., at the Nespelem School at 9 a.m., on Friday, October 25. The final hearing is scheduled in Seattle, Wash., at 9 a.m., on Saturday, October 26, in the auditorium of the Student Union Building of the University of Washington.

All those wishing to appear before the subcommittee should communicate their intention to the Senate Committee on Interior and Insular Affairs, New Senate Office Building, Washington, D.C., before October 20.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its

reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 838. An act for the relief of George Crooks; and

S. 1313. An act for the relief of Tim L. Yen.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 7544) to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. BIBLE:

Address of Senator CANNON, delivered before the National Conference of Christians and Jews in Las Vegas, Nev., on September 26, 1963.

By Mr. HILL:

Statement summarizing the activities of the 10th International Congress on Education of the Deaf.

By Mr. YARBOROUGH:

Article entitled "Live Younger and Better," published in the Houston Post on October 7, 1963.

By Mr. THURMOND:

Column entitled "The FCC Fairness Doctrine Stems From Reuther Report," written by Edith Kermit Roosevelt and published in the Columbia (S.C.) Record on October 7, 1963.

SALE OF WHEAT BY UNITED STATES TO SOVIET UNION

Mrs. SMITH. Mr. President, two member newspapers of the Guy Gannett publishing chain in Maine published editorials on October 12, 1963, on the wheat deal. The Waterville Morning Sentinel in a rather lengthy editorial supported and justified the wheat deal—although on the qualified basis that it is a "one-shot deal" implying that it was reserving judgment on any similar program of more than one deal.

The Daily Kennebec Journal, of Augusta, Maine, in a much shorter and more pithy editorial criticizes the deal and characterizes it as ironic.

The contrast not only shows how opinion can vary on such a deal, but it does show that newspapers of the same chain can differ in their editorial policy. Let us be thankful for that.

I ask unanimous consent that the editorials be placed in the body of the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows: